FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

SECOND APPEAL NO. 388 OF 1996

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

CORAM : Smt. V. A. Naik, J.
DATE : 4th June, 2007.

Heard Shri Talmale, the learned counsel for the appellant.

The appellant is the original plaintiff. A suit was filed by the plaintiff for declaration, possession and permanent injunction as prayed for in the plaint on the strength of a will allegedly executed by deceased Mirabai in favour of the plaintiff/appellant. According to the plaintiff, by a will dated 20.08.1975, Mirabai had bequeathed the suit property in favour of the plaintiff.

Both the Courts, on appreciation of an oral and documentary evidence on record, concurrently held that the will was not a valid and genuine will and was surrounded by a number of suspicious circumstances.

The findings recorded by both the Courts are pure findings of facts which do not give rise to any

substantial question of law.

The Second Appeal is dismissed with no order as to costs.

JUDGE

APTE